

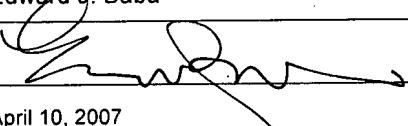


1A12 Rec'd PCT/PTO 12 APR 2007

PTO/SB/21 (08-03)

TRANSMITTAL FORM		Application Number	10/581,538
(to be used for all correspondence after initial filing)		Filing Date	June 2, 2006
		First Named Inventor	DeFrees, Shawn
		Art Unit	1654
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	80	Attorney Docket Number	40853-5146-US

ENCLOSURES (Check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group	
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition to Submit Color Drawings	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter	
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	<ul style="list-style-type: none"> • Return postcard • Declaration • Supplemental Application Data Sheet • Power of Attorney and Correspondence Address Indication Form • 3.73(b) and copy of Assignment • copy of Notice 	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)		
<input type="checkbox"/> Certified Copy of Priority Document(s)		Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 50-0310.
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application			
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual	Morgan, Lewis & Bockius LLP Edward J. Baba	Reg. No. 52,581
Signature		
Date	April 10, 2007	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Kathryn A. Deglantoni		
Signature		Date	April 10, 2007

40853-01-5140-15
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/581,538	Shawn Defrees	408535146US
INTERNATIONAL APPLICATION NO.		
PCT/US04/40709		
I.A. FILING DATE	PRIORITY DATE	
12/03/2004	12/03/2003	
CONFIRMATION NO. 6190		
371 FORMALITIES LETTER		
 CC000000022482785		



Date Mailed: 02/13/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/02/2006
- Copy of the International Search Report filed on 06/02/2006
- Copy of IPE Report filed on 06/02/2006
- Preliminary Amendments filed on 06/02/2006
- Information Disclosure Statements filed on 06/02/2006
- U.S. Basic National Fees filed on 06/02/2006
- Priority Documents filed on 06/02/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

DOCKETED VS
 FILE MISSING PARTS
 DUE 13APR07
 FINAL 13SEP07

RECEIVED AND FILED
 FEB 21 2007
 PATENT & TRADEMARK OFFICE
 PALO ALTO OFFICE

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

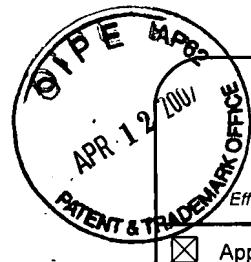
CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/581,538	PCT/US04/40709	408535146US

FORM PCT/DO/EO/905 (371 Formalities Notice)



**FEE TRANSMITTAL
for FY 2006**

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 65.00)

<i>Complete if Known</i>	
Application Number	10/581,538
Filing Date	June 2, 2006
First Named Inventor	DeFrees, Shawn
Examiner Name	Not Yet Assigned
Art Unit	1654
Attorney Docket No.	40853-5146US

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None
 Deposit Account:

Deposit

50-0310

Deposit
Account
Name

Morgan, Lewis & Bockius LLP

LITERATURE

Morgan, Lewis & Bockius LLP

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments

Charge any additional fee(s) or any underpayment of fees

Charge any additional fee(s) or any underpayment

Charge fee(s) indicated below, except

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
Entity	Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	65
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive – unavoidable	
1453	1,500	2453	750	Petition to revive – unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1,100	2503	550	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination	
				04/17/2007 2:47:44 PM	
1081	250	2081	125	Utility Application Size Fee – for each additional 50 sheets that exceeds 100 sheets	10581538

Note number previously paid, if greater. For Reissues, see above.

*Reduced by Basic Filing Fee Paid **SUBTOTAL (3)** (\$65.00)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Edward J. Baba	Registration No. (Attorney/Agent)	52,581	Telephone	(415) 442-1000
Signature				Date	April 10, 2007